

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA	§	
	§	
v.	§	CRIMINAL NO. 4:17-cr-514
	§	
LUIS CARLOS DE LEON-PEREZ,	§	
Defendant.	§	

**UNITED STATES' UNOPPOSED MOTION
FOR FINAL ORDER OF FORFEITURE**

The United States moves for a Final Order of Forfeiture for \$18,118,783.15. Notice and publication of the forfeiture have occurred, and no third parties have filed petitions claiming an interest in the property, so this motion is unopposed.

Procedural Background

Defendant Luis Carlos De Leon Perez pleaded guilty to Counts One and Two of the Superseding Information (Doc. 104). Count One charged Defendant with conspiracy to violate the Foreign Corrupt Practices Act, Title 15, United States Code, Section 78dd-2 ("FCPA"), in violation of Title 18, United States Code, Section 371. Count Two charged Defendant with conspiracy to commit money laundering, in violation of Title 18, United States Code, Section 1956(h).

On October 2, 2020, the Court imposed an agreed money judgment in the amount of \$18,118,783.15. (Doc. 168). On August 7, 2023, the Court sentenced the Defendant and signed a Preliminary Order of Forfeiture for Substitute Assets for

\$18,118,783.15 tendered by the Defendant (Doc. 527). Upon final forfeiture of the \$18,118,783.15, the money judgment will be fully satisfied.

Argument and Authorities

Pursuant to 21 U.S.C. § 853(n)(1) and FED.R.CRIM.P. 32.2(b)(6), the United States must publish preliminary orders of forfeiture and serve potential third parties. After service is completed and the deadline to file petitions has expired, the Court adjudicates any third-party petitions in an ancillary proceeding pursuant to Section 853(n)(7). The ancillary proceeding is not part of sentencing. FED.R.CRIM.P. 32.2(c)(4). After the ancillary proceeding ends, or if no timely third-party petitions are filed, the Court issues a Final Order of Forfeiture providing that the United States has clear title to the forfeited assets. FED.R.CRIM.P. 32.2(c)(2).

Notice of the Preliminary Order of Forfeiture in this case was published for at least 30 consecutive days, starting on August 11, 2023 (Doc. 547), and more than 60 days have passed since the first date of publication.

The United States on September 14, 2023, served Notice and a copy of the Preliminary Order of Forfeiture on (a) the Defendant's wife, Andreina Gamez Rodriguez, and (b) the Defendant's company, Magnolia Products Limited, through attorney George Vila (Certificate of Service, Doc. 538). FED.R.CRIM.P. 32.2(b)(6). The deadline to file a claim was October 16, 2023, and no claim has been filed.

Because no party filed a timely petition asserting a claim to any of the property listed in the Order, any third parties are barred from making a claim and should be held in default. 21 U.S.C. § 853(n)(7).

Relief Requested

Pursuant to Rule 32.2(c)(2) of the Federal Rules of Criminal Procedure, the United States moves that the Court enter a Final Order of Forfeiture for the \$18,118,783.15. A proposed Final Order of Forfeiture is attached for the Court's consideration.

Respectfully submitted,

ALAMDAR S. HAMDANI
United States Attorney

/s/ Kristine E. Rollinson
Kristine E. Rollinson
SDTX Federal No. 16785
Assistant United States Attorney
1000 Louisiana, Suite 2300
Houston, Texas 77002
Telephone (713) 567 9000
Counsel for the United States

CERTIFICATE OF NON-CONFERENCE

Because the Defendant lost any interest in the property by the time of sentencing, and because no third parties have filed a petition claiming an interest in the property, there are no parties with whom the undersigned can confer.

/s/ Kristine E. Rollinson
Kristine E. Rollinson
Assistant United States Attorney

CERTIFICATE OF SERVICE

A true and correct copy of this pleading was served on all counsel via electronic court filing on October 20, 2023.

/s/ Kristine E. Rollinson

Kristine E. Rollinson

Assistant United States Attorney